103

MOUNT PLEASANT NATIONAL SCENIC AREA ACT; AND THE IDAHO WILDERNESS SUSTAINABLE FORESTS AND COMMUNITIES ACT OF 1994

4. AG 8/1: 103-67

unt Pleasant National Scenic Area...

HEARING

ORE THE

SUBCOMMITTEE ON SPECIALTY CROPS
AND NATURAL RESOURCES

AND THE

SUBCOMMITTEE ON ENVIRONMENT, CREDIT,
AND RURAL DEVELOPMENT

OF THE

COMMITTEE ON AGRICULTURE
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRD CONGRESS

SECOND SESSION
ON

H.R. 2942 and H.R. 3732

MAY 19, 1994

Serial No. 103–67

SUPERINTENDENT OF DOCUMENTS
DEPOSITORY
OCT 5 1994

Printed for the use of the Committee on Agriculture

U.S. GOVERNMENT PRINTING OFFICE
81–894 WASHINGTON : 1994

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402
ISBN 0-16-044808-5

MOUNT PLEASANT NATIONAL SCENIC AREA ACT; AND THE IDAHO WILDERNESS SUSTAINABLE FORESTS AND COMMUNITIES ACT OF 1994

4. AG 8/1: 103-67

nt Pleasant National Scenic Area...

HEARING

ORE THE

SUBCOMMITTEE ON SPECIALTY CROPS
AND NATURAL RESOURCES

AND THE

SUBCOMMITTEE ON ENVIRONMENT, CREDIT,
AND RURAL DEVELOPMENT

OF THE

COMMITTEE ON AGRICULTURE
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRD CONGRESS

SECOND SESSION
ON

H.R. 2942 and H.R. 3732

MAY 19, 1994

Serial No. 103–67

SUPERINTENDENT OF DOCUMENTS
DEPOSITORY
OCT 5 1994

Printed for the use of the Committee on Agriculture

U.S. GOVERNMENT PRINTING OFFICE
81–894 WASHINGTON : 1994

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402
ISBN 0-16-044808-5

COMMITTEE ON AGRICULTURE

E (KIKA) DE LA GARZA, Texas, *Chairman*

GEORGE E. BROWN, JR., California,
Vice Chairman
CHARLIE ROSE, North Carolina
DAN GLICKMAN, Kansas
CHARLES W. STENHOLM, Texas
HAROLD L. VOLKMER, Missouri
TIMOTHY J. PENNY, Minnesota
TIM JOHNSON, South Dakota
BILL SARPALIUS, Texas
JILL L. LONG, Indiana
GARY A. CONDIT, California
COLLIN C. PETERSON, Minnesota
CALVIN M. DOOLEY, California
EVA M. CLAYTON, North Carolina
DAVID MINGE, Minnesota
EARL F. HILLIARD, Alabama
JAY INSLEE, Washington
THOMAS J. BARLOW III, Kentucky
EARL POMEROY, North Dakota
TIM HOLDEN, Pennsylvania
CYNTHIA A. McKINNEY, Georgia
SCOTTY BAESLER, Kentucky
KAREN L. THURMAN, Florida
SANFORD D. BISHOP, JR., Georgia
BENNIE G. THOMPSON, Mississippi
SAM FARR, California
PAT WILLIAMS, Montana
BLANCHE M. LAMBERT, Arkansas

PAT ROBERTS, Kansas,
Ranking Minority Member
BILL EMERSON, Missouri
STEVE GUNDERSON, Wisconsin
TOM LEWIS, Florida
ROBERT F. (BOB) SMITH, Oregon
LARRY COMBEST, Texas
WAYNE ALLARD, Colorado
BILL BARRETT, Nebraska
JIM NUSSLE, Iowa
JOHN A. BOEHNER, Ohio
THOMAS W. EWING, Illinois
JOHN T. DOOLITTLE, California
JACK KINGSTON, Georgia
BOB GOODLATTE, Virginia
JAY DICKEY, Arkansas
RICHARD W. POMBO, California
CHARLES T. CANADY, Florida
NICK SMITH, Michigan
TERRY EVERETT, Alabama

PROFESSIONAL STAFF

DIANNE POWELL, *Staff Director*
VERNIE HUBERT, *Chief Counsel and Legislative Director*
GARY R. MITCHELL, *Minority Staff Director*
JAMES A. DAVIS, *Press Secretary*

SUBCOMMITTEE ON SPECIALTY CROPS AND NATURAL RESOURCES

CHARLIE ROSE, North Carolina, *Chairman*

SCOTTY BAESLER, Kentucky,
Vice Chairman
SANFORD D. BISHOP, JR., Georgia
GEORGE E. BROWN, JR., California
GARY A. CONDIT, California
EVA M. CLAYTON, North Carolina
KAREN L. THURMAN, Florida
DAVID MINGE, Minnesota
JAY INSLEE, Washington
EARL POMEROY, North Dakota
CHARLES W. STENHOLM, Texas
COLLIN C. PETERSON, Minnesota
SAM FARR, California
HAROLD L. VOLKMER, Missouri

TOM LEWIS, Florida
BILL EMERSON, Missouri
JOHN T. DOOLITTLE, California
JACK KINGSTON, Georgia
BOB GOODLATTE, Virginia
JAY DICKEY, Arkansas
RICHARD W. POMBO, California
TERRY EVERETT, Alabama

SUBCOMMITTEE ON ENVIRONMENT, CREDIT, AND RURAL DEVELOPMENT

TIM JOHNSON, South Dakota, *Chairman*

JILL L. LONG, Indiana,
Vice Chairman
EVA M. CLAYTON, North Carolina
DAVID MINGE, Minnesota
THOMAS J. BARLOW III, Kentucky
EARL POMEROY, North Dakota
TIM HOLDEN, Pennsylvania
CYNTHIA A. McKINNEY, Georgia
KAREN L. THURMAN, Florida
TIMOTHY J. PENNY, Minnesota
BILL SARPALIUS, Texas
COLLIN C. PETERSON, Minnesota
EARL F. HILLIARD, Alabama
JAY INSLEE, Washington
SCOTTY BAESLER, Kentucky
BENNIE G. THOMPSON, Mississippi
SAM FARR, California

LARRY COMBEST, Texas
STEVE GUNDERSON, Wisconsin
WAYNE ALLARD, Colorado
BILL BARRETT, Nebraska
JIM NUSSLE, Iowa
THOMAS W. EWING, Illinois
JAY DICKEY, Arkansas
RICHARD W. POMBO, California
NICK SMITH, Michigan

CONTENTS

Page

H.R. 2942, a bill to designate certain lands in the Commonwealth of Virginia as a National Scenic Area for protection of the watershed and scenic values, recreation use, protection of wildlife and their habitat, and for other purposes 2
H.R. 3732, a bill to designate certain lands in the State of Idaho as wilderness, and for other purposes 7
Everett, Hon. Terry, a Representative in Congress from the State of Alabama, prepared statement 47
Goodlatte, Hon. Bob, a Representative in Congress from the State of Virginia, prepared statement 51
Rose, Hon. Charlie, a Representative in Congress from the State of North Carolina, prepared statement 46

WITNESSES

LaRocco, Hon. Larry, a Representative in Congress from the State of Idaho 48
Prepared statement 53
Reimers, Mark A., Deputy Chief, Forest Service, U.S. Department of Agriculture 49
Prepared statement 59

MOUNT PLEASANT NATIONAL SCENIC AREA ACT; AND THE IDAHO WILDERNESS, SUSTAINABLE FORESTS AND COMMUNITIES ACT OF 1994

THURSDAY, MAY 19, 1994

HOUSE OF REPRESENTATIVES; SUBCOMMITTEE ON SPECIALTY CROPS AND NATURAL RESOURCES; JOINT WITH SUBCOMMITTEE ON ENVIRONMENT, CREDIT, AND RURAL DEVELOPMENT; COMMITTEE ON AGRICULTURE,
Washington, DC.

The subcommittees met, pursuant to call, at 2:20 p.m., in room 1300, Longworth House Office Building, Hon. Charlie Rose (chairman of the subcommittee) presiding.

Present from the Subcommittee of Specialty Crops and Natural Resources: Representatives Rose, Condit, Peterson, and Goodlatte.

Present from the Subcommittee on Environment, Credit, and Rural Development: Representatives Long and Barrett.

Staff present: Andy Baker, assistant counsel; Jan Rovecamp, clerk; Keith Pitts, Dwight Fettig, Joe Dugan, Alexandra Buell, Stacy Carey, and David Ebersole.

Ms. LONG [acting chairman]. The joint hearing of the Specialty Crops and Natural Resources Subcommittee and Environment, Credit, and Rural Development Subcommittee will convene.

First, a copy of the bills will be placed in the record along with prepared statements for the record. Thank you.

[H.R. 2942, H.R. 3732, and the prepared statements of Mr. Rose and Mr. Everett follow:]

I

103D CONGRESS
1ST SESSION

H. R. 2942

To designate certain lands in the Commonwealth of Virginia as a National Scenic Area for protection of the watershed and scenic values, recreation use, protection of wildlife and their habitat, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 6, 1993

Mr. GOODLATTE introduced the following bill; which was referred to the Committee on Agriculture

---

A BILL

To designate certain lands in the Commonwealth of Virginia as a National Scenic Area for protection of the watershed and scenic values, recreation use, protection of wildlife and their habitat, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Mount Pleasant National Scenic Area Act".

SEC. 2. PURPOSES.

The purposes of this Act with respect to the Mount Pleasant National Scenic Area are to—

(1) ensure appropriate protection and preservation of the scenic quality, water quality, and water resources;

(2) protect and manage vegetation to provide wildlife and fish habitat, consistent with paragraph (1) above;

(3) provide areas that may develop characteristics of old-growth forests; and

(4) provide a variety of recreation opportunities that are not inconsistent with the purposes set forth above.

SEC. 3. ESTABLISHMENT OF THE NATIONAL SCENIC AREA.

(a) IN GENERAL.—(1) There is hereby established in the George Washington National Forest, Virginia, the Mount Pleasant National Scenic Area (hereinafter referred to in this Act as the "scenic area").

(2) The scenic area shall consist of certain lands in the George Washington National Forest, Virginia, which comprise seven thousand five hundred and eighty acres, more or less, as generally depicted on a map entitled "Mount Pleasant National Scenic Area—Proposed", dated June 21, 1993.

(b) ADMINISTRATION.—The Secretary of Agriculture, (hereinafter referred to in this Act as the "Secretary") shall administer the scenic area in accordance with this

Act and the laws and regulations generally applicable to the National Forest System. In the event of conflict between this Act and other laws and regulations, this Act shall take precedence.

(c) ROADS.—After the date of enactment of this Act, no new permanent roads shall be constructed within the scenic area: *Provided,* That this provision shall not be constructed to deny access to private lands or interests therein in the scenic area.

(d) VEGETATION MANAGEMENT.—No timber harvest shall be allowed within the scenic area, except as may be necessary in the control of fire, insects, and diseases and to provide for public safety and trail access. Notwithstanding the foregoing, the Secretary may engage in vegetation manipulation practices for maintenance of existing wildlife habitat and visual quality. Firewood may be harvested for personal use along perimeter roads under such conditions as the Secretary may impose.

(e) MOTORIZED TRAVEL.—Motorized travel shall not be permitted within the scenic area; except as necessary for administrative use in furtherance of the purposes of this Act, on temporary routes in support of wildlife management projects, on State Route 635, and on Forest Development Road 51 subject to such conditions as the Secretary may impose.

(f) FIRE.—Wildfires shall be suppressed in a manner consistent with the purposes of this Act, using such means as the Secretary deems appropriate.

(g) INSECTS AND DISEASE.—Insect and disease outbreaks may be controlled in the scenic area to maintain scenic quality, prevent tree mortality, reduce hazards to visitors or to protect private lands.

(h) WATER.—The scenic area shall be administered so as to maintain or enhance existing water quality.

(i) MAPS AND DESCRIPTIONS.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and boundary description of the scenic area with the Committee on Agriculture, Nutrition, and Forestry of the United States Senate and the Committee on Agriculture of the United States House of Representatives. The map and description shall have the same force and effect as if included in this Act, except that the Secretary is authorized to correct clerical and typographical errors in such boundary description and map. Such map and boundary description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture. In the case of any discrepancy between the acreage and the map described in subsection (a)(2), the map shall control.

(j) MANAGEMENT PLAN.—Within three years of enactment of this Act, the Secretary shall develop a management plan for the scenic area as an amendment to the Land and Resource Management Plan for the George Washington National Forest. Such an amendment shall conform to the provisions of this Act. Nothing in this Act shall require the Secretary to revise the Land and Resource Management Plan for the George Washington National Forest pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974.

○

I

103D CONGRESS
2D SESSION

H. R. 3732

To designate certain lands in the State of Idaho as wilderness, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 1994

Mr. LAROCCO introduced the following bill; which was referred jointly to the Committees on Natural Resources and Agriculture

---

A BILL

To designate certain lands in the State of Idaho as wilderness, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Idaho Wilderness, Sustainable Forests and Communities Act of 1994".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Findings.
Sec. 3. Purposes.

TITLE I—IDAHO WILDERNESS

Sec. 101. Panhandle National Forest.
Sec. 102. Clearwater National Forest.
Sec. 103. Nez Perce National Forest.
Sec. 104. Payette National Forest.
Sec. 105. Boise National Forest.
Sec. 106. Administration and general provisions.
Sec. 107. Private property rights.
Sec. 108. Grazing.

TITLE II—IDAHO FOREST MANAGEMENT

Sec. 201. Panhandle National Forest.
Sec. 202. Nez Perce National Forest.
Sec. 203. Payette National Forest.
Sec. 204. Boise National Forest.
Sec. 205. Management plans.
Sec. 206. Map and description.
Sec. 207. Water quality on the Panhandle National Forest.
Sec. 208. Monitoring of management areas.

TITLE III—RELEASE TO MULTIPLE USE AND WATER RIGHTS

Sec. 301. Wilderness review.
Sec. 302. Water rights.

TITLE IV—IDAHO RURAL ECONOMIC DEVELOPMENT

Sec. 401. Findings and purposes.
Sec. 402. Ecosystem restoration and rehabilitation projects.
Sec. 403. Authorization of appropriations.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The State of Idaho contains some 9,300,000 roadless acres of land owned by the Federal Government and managed by the Forest Service. This vast roadless tract of primitive and undeveloped land is the largest unroaded area within a State in the conterminous United States and is of immense national significance.

(2) Certain of these wildlands should be incorporated into the National Wilderness Preservation System to provide statutory protection for lands con-

taining diverse habitats and watersheds vital to resident and anadromous fisheries and wildlife; to preserve scenic, historical and cultural values; to promote scientific research; and to provide for primitive recreation, solitude, and physical and mental challenges.

(3) Congressional resolution of disputes over future management of Idaho's vast roadless lands is necessary to assure a dependable and sustainable supply of timber from Federal lands so that natural resource-based commodity production continues as an important part of rural life in Idaho.

(4) Congressional direction is required through the establishment of management areas on identified roadless lands to ensure effective implementation of forest plans for national forests in Idaho.

(5) A key to creating sustainable economies in Idaho's rural communities is prudent and ecological management of the land to assure long-term productivity.

(6) Idaho's roadless areas are vital to the State's growing tourism industry, outfitting and guiding, backcountry recreation, and municipal watersheds.

(7) Idaho's roadless lands released by this Act for nonwilderness purposes provide valuable dispersed recreation opportunities for motorized and nonmotorized users.

(8) There have been several confirmed sightings, and hundreds of probable sightings, of gray wolf in Idaho's established wilderness and roadless areas.

SEC. 3. PURPOSES.

The purposes of this Act are to—

(1) provide a comprehensive, statutory framework for the protection, administration, and management of certain roadless wildlands of Idaho through—

(A) the addition of certain roadless lands to existing wilderness areas;

(B) the designation of certain roadless lands as management areas, an historic area, and forest demonstration projects;

(C) the addition to the National Wilderness Preservation System of certain roadless lands; and

(D) the release of certain National Forest System lands for multiple-uses other than wil-

derness in accordance with title III of this Act; and

(2) end the controversy over which roadless lands within Idaho will be designated wilderness, while assuring that certain roadless lands better suited for special management be managed by the Forest Service under title II of this Act, and those lands better suited for multiple use other than wilderness will be managed by the Forest Service under applicable laws including the laws, rules, and regulations generally applicable to the National Forest System and applicable land management plans.

TITLE I—IDAHO WILDERNESS

SEC. 101. PANHANDLE NATIONAL FOREST.

In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131–1136), the following lands in the State of Idaho are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System:

Name of Wilderness Area	Approximate Acreage
Salmo-Priest	19,000
Long Canyon	39,000
Scotchman Peaks	24,000
Mallard-Larkins	123,000

SEC. 102. CLEARWATER NATIONAL FOREST.

In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131–1136), the following lands in the State

of Idaho are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System:

Name of Wilderness Area	Approximate Acreage
Mallard-Larkins	77,000
The Great Burn	225,000
Lewis and Clark	43,000
Selway-Bitterroot Additions	38,000

The provisions of this Act relating to the Clearwater National Forest shall supersede section 2(a) of the settlement agreement entered into on September 23, 1993, in The Wilderness Society, et al. v. Robertson, et al., Civil No. 93–0043–S–HLR (D. Idaho), and Sierra Club v. Robertson, Civil No. 93–0044–S–HLR (D. Idaho). No later than December 31, 1996, the Secretary shall submit a report to the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives concerning progress of implementing section 1 of such settlement agreement.

SEC. 103. NEZ PERCE NATIONAL FOREST.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131–1136), the following lands in the State of Idaho are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System:

Name of Wilderness Area	Approximate Acreage
Selway-Bitterroot Addition (East Meadow Creek)	102,000
Selway-Bitterroot Addition (Bear Creek/Montana line)	1,000

(b) BOUNDARY ADJUSTMENT.—Section 4(a)(1) of the Endangered American Wilderness Act of 1978 (Public Law 95–237; 92 Stat. 43) is amended by striking "which comprise about two hundred and six thousand acres, as generally depicted under the category 'Wilderness' on a map entitled 'Gospel-Hump Planning Unit' and dated January 1978," and inserting "which comprise 205,933 acres, as generally depicted under the category 'Wilderness' on a map entitled 'Gospel-Hump Revised Boundaries' and dated March 1983,".

SEC. 104. PAYETTE NATIONAL FOREST.

(a) IN GENERAL.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131–1136), the following lands in the State of Idaho are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System:

Name of Wilderness Area	Approximate Acreage
French Creek	43,000
Patrick Butte	48,000
Needles	96,000
Secesh	116,000

(b) EXCLUSIONS.—The Secesh Wilderness designated by subsection (a) shall not include—

(1) the South Fork of the Salmon River 4WD trail (Forest Service trail number 076); and

(2) the adjacent private lands located along the trail referred to in paragraph (1).

The Secretary of Agriculture shall maintain such trail to prevent erosion and stream sedimentation.

SEC. 105. BOISE NATIONAL FOREST.

In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131–1136), the following lands in the State of Idaho are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System:

Name of Wilderness Area	Approximate Acreage
Needles	4,000
Hanson Lake	14,000
Red Mountain	88,000
Ten Mile-Black Warrior	79,000
Peace Rock	94,000

SEC. 106. ADMINISTRATION AND GENERAL PROVISIONS.

(a) ADMINISTRATION.—Subject to valid existing rights, the wilderness areas designated under this title shall be administered by the Secretary of Agriculture (hereinafter in this Act referred to as the "Secretary") in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act (or any similar reference) shall be deemed to be a reference to the date of enactment of this Act.

(b) NAME.—Each wilderness area named in a table contained in this title shall be the area referenced in that table, as generally depicted on the map entitled "_____"

and known by the name given to it in that table, except that the Selway-Bitterroot Additions on the Clearwater and Nez Perce National Forests made by sections 102 and 103 shall be added to, and administered as part of, the Selway-Bitterroot Wilderness and the Frank Church-River of No Return Addition on the Payette National Forest made by section 104 shall be added to, and administered as part of, the Frank Church-River of No Return Wilderness.

(c) MAPS AND DESCRIPTIONS.—As soon as practicable after enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated under this title with the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives and with the Committee on Energy and Natural Resources of the Senate. Each such map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in such legal description and map may be made. Each such map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, United States Department of Agriculture.

(d) BUFFER ZONES NOT INTENDED.—The Congress does not intend that designation of wilderness areas in the

State of Idaho lead to the creation of protective perimeters or buffer zones around each wilderness area. The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

(e) WILDLIFE AND FISH.—As provided in section 4(d)(7) of the Wilderness Act, nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the State of Idaho with respect to wildlife and fish in the national forests in the State of Idaho.

SEC. 107. PRIVATE PROPERTY RIGHTS.

(a) PROCEDURE.—Any owner of lands adjacent to any area designated as wilderness by this Act who claims any reduction in value of such lands as a result of the designation of wilderness by this Act, or the management as wilderness of lands designated as wilderness by this Act, may file with the Secretary a claim for compensation for such reduction.

(b) NEGOTIATIONS.—The Secretary is authorized to enter into negotiations with a party filing a claim under subsection (a) to determine appropriate compensation, if any, with respect to such claim. The Secretary shall pay compensation with respect to any such a claim to the ex-

tent required by the Fifth Amendment to the Constitution of the United States.

(c) OTHER REMEDIES.—Nothing in this section shall be construed as increasing or diminishing the ability of any party to seek compensation pursuant to other applicable law, including (but not limited to) section 1491 of title 28, United States Code (commonly referred to as the "Tucker Act"), or as precluding or limiting any defenses or claims otherwise available to the United States or any other party in connection with any action seeking such compensation.

SEC. 108. GRAZING.

Grazing of livestock in wilderness areas designated by this Act, where established prior to the date of enactment of this Act, shall be administered in accordance with the provisions of section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)), as further interpreted by section 108 of Public Law 96–560.

TITLE II—IDAHO FOREST MANAGEMENT

SEC. 201. PANHANDLE NATIONAL FOREST.

(a) FINDING.—Congress finds that:

(1) 78 percent of Boundary County is Federal land, and the full spectrum of public use of these timberlands, including motorized and nonmotorized

recreation and timber production, has been heavily restricted to protect four species listed under the Endangered Species Act of 1973 including grizzly bear, woodland caribou, bald eagle, and the gray wolf. An additional nine species found in the county are candidates for listing under the Endangered Species Act of 1973, including the Kootenai white sturgeon, bull trout, harlequin duck, lynx, northern goshawk, wolverine, and three plants.

(2) Direct employment in the wood products industry accounts for nearly 20 percent of all employment in the county. The regional reduction in Federal timber supply played a significant role in the January 1994 closure of two Crown Pacific mills located in Long Lake, Washington, and Superior, Montana.

(3) The reduced timber harvest on Federal lands has greatly increased pressure to quickly harvest timber on private lands in the county.

(b) SELKIRK CREST MANAGEMENT AREA.—

(1) DESIGNATION.—The area on the Panhandle National Forest, comprised of approximately 21,000 acres as generally depicted on the map entitled "Selkirk Crest Management Area—Proposed", is designated as the Selkirk Crest management area.

(2) MANAGEMENT EMPHASIS.—The management of the Selkirk Crest management area shall be in accordance with the memorandum of understanding relating to such area, entered into between the Forest Service and the State of Idaho on May 6, 1971, as it may be modified by agreement of the parties.

(c) OTHER MANAGEMENT AREAS.—

(1) DESIGNATIONS.—The following areas on the Panhandle National Forest, as generally depicted on the map entitled "Panhandle National Forests Management Areas—Proposed", are hereby designated as management areas:

Name of Area	Approximate Acreage
Continental Mountain	6,000
Saddle Mountain	6,000
Farnham/Russell	24,000
Burton Peak	9,000
Katka Peak	11,000
Bald Eagle	4,000
Timber/Buck	8,000

(2) MANAGEMENT EMPHASIS.—The management areas designated by paragraph (1) shall be managed to provide for the sustainable growth and production of commercially valuable wood products and general public use on lands suitable for timber production while managing identified grizzly bear and caribou habitat. Timber harvest shall emphasize reduction of stand density, increased species diver-

sity and forest health. Treatment priorities should be in areas with significant insect and disease activity. A full range of recreation opportunities should be provided, including motorized and non-motorized.

(d) IMPACT ANALYSIS.—

(1) REQUIREMENT.—With respect to the lands described in paragraph (2), the Secretary of Commerce shall compile such information regarding the economic impact and other relevant impact of designating such lands as critical grizzly bear habitat as would be required to be compiled by section 4(b)(2) of the Endangered Species Act of 1973 if such Secretary were to make such designation of such lands.

(2) LANDS.—Paragraph (1) shall apply to all Federal lands within the Kaniksu National Forest in the State of Idaho which as of the date of enactment of this Act are being managed so as to maintain the value of such lands as habitat for grizzly bears.

(3) COMMENTS AND TRANSMITTAL.—(A) In implementing this subsection, the Secretary of Commerce shall seek the comments of Idaho Department of Commerce and the University of Idaho.

(B) Not later than 1 year after the date of enactment of this Act, the Secretary of Commerce shall transmit all information compiled pursuant to

this section, and all comments received thereon, to the Secretary of Agriculture, the Governor of Idaho, and the Commissioners of Boundary County, Idaho.

(e) MARBLE CREEK HISTORIC AREA.—

(1) DESIGNATION.—The area on the Panhandle National Forest, comprised of approximately _____ acres as generally depicted on the map entitled "Marble Creek Historic Area—Proposed", is designated as the Marble Creek historic area.

(2) MANAGEMENT.—(A) The Marble Creek historic area shall be managed to interpret and promote the history of logging. Nothing in this subsection shall be construed to inhibit logging in the area, except as provided in subparagraph (B).

(B) The Marble Creek historic area includes a high country component, comprised of approximately 45 acres, generally known as the Grandmother Mountain area and which shall hereafter be known as the "Jack Johnston Recreation Area". The management emphasis of the Jack Johnston Recreation Area shall be primitive, non-motorized recreation and the area shall be managed to promote fishing, hunting, and wildlife habitat. Logging and road construction shall not be permitted in the Jack Johnston Recreation Area.

(f) ST. JOE FOREST DEMONSTRATION PROJECT.—

(1) IN GENERAL.—The Secretary shall conduct a demonstration project on the St. Maries and Palouse Ranger Districts on the St. Joe National Forest. The purpose of the project shall be to demonstrate the change in timber volume and its relationship with water, wildlife, and other values resulting from investment in good sites on lands already roaded.

(2) SITES.—Within the 6-month period beginning on the date of the enactment of this Act, the Forest Service shall locate sites on the St. Joe National Forest outside wilderness or other areas where timber harvest is not permitted and where timber productivity is greater than 70 cubic feet per acre per year. These sites shall be intensively managed for timber production using mostly uneven-aged management and silvicultural practices, including pre-commercial thinning, fertilization, pruning, planting of diverse species, and tree improvement through genetic experimentation. The selection of sites under this paragraph does not preclude the identification of small, high class sites below 5,000 feet in altitude which should be excluded from such management for genetic and biological purposes.

(3) MONITORING AND APPLICABLE STANDARDS.—The Forest Service shall, in cooperation with the University of Idaho, continually monitor the demonstration project to determine the change in timber volume, water quality, soil erosion, wildlife presence, and investment return. Water quality standards and old-growth standards, as such standards may be modified from time to time, shall remain in effect on the lands affected by the demonstration project carried out under this subsection.

(4) ADVISORY GROUP.—The Secretary shall appoint a citizens advisory group to provide guidance and advice to the Forest Service in implementing this subsection. The advisory group shall be comprised of 5 local individuals and shall represent diverse interests.

(5) EXISTING TIMBER SALES.—Implementation of this subsection shall not affect timber sales under contract or near completion of preparation as of the end of the 6-month period referred to in paragraph (2).

(6) SUNSET.—The demonstration project carried out under this subsection shall terminate at the end of the 20-year period beginning on the date of the enactment of this Act.

SEC. 202. NEZ PERCE NATIONAL FOREST.

(a) GENERAL MANAGEMENT DIRECTIVE.—The management area designated by this section shall be administered in accordance with applicable laws including this Act; the laws, rules, and regulations applicable to the National Forest System; and the document entitled the "Nez Perce National Forest Plan", adopted October 1987, as such plan may be revised or amended from time to time.

(b) RAPID RIVER MANAGEMENT AREA.—

(1) DESIGNATION.—The area on the Payette National Forest, comprised of approximately 19,000 acres as generally depicted on the map entitled "Rapid River Management Area—Proposed", is designated as the Rapid River management area.

(2) MANAGEMENT EMPHASIS.—The management emphasis for the Rapid River management area shall be on water quality, anadromous fish habitat, and recreation. No roads may be constructed.

(c) WEST MEADOW CREEK WATERSHED PROTECTION PROJECT.—

(1) PURPOSE.—The Secretary shall conduct a project on the lands described in paragraph (2) in order to determine the feasibility and desirability of decisionmaking with respect to management of Na-

tional Forest lands utilizing the methodology and procedure described in this subsection.

(2) LANDS.—The project required by this subsection shall encompass management decisions affecting the lands generally depicted on the map entitled "West Meadow Creek Area" dated _____, 1994.

(3) METHODOLOGY.—In order to carry out the project required by this subsection, the Secretary shall determine—

(A) the historical range of variability of inherent components and processes of ecosystems, including but not limited to water quality and quantity, and fish and wildlife populations and habitat, and vegetation density and structure;

(B) conditions of the relevant ecosystem components and processes as of the date of the enactment of this Act; and

(C) the range of desired future conditions among the relevant ecosystem components and processes.

(4) PUBLIC INVOLVEMENT.—Determinations about the range of desired future conditions among relevant ecosystem components and processes shall be made with public participation.

(5) MANAGEMENT.—For a period of 10 years beginning on the date of enactment of this Act, the lands referred to in paragraph (2) shall be managed to reach and maintain the range of desired future conditions, as determined pursuant to paragraph (3). After such period, the Secretary may continue to mange such lands in such manner to the extent the Secretary determines appropriate and desirable.

(6) REPORT.—No later than _____ years after the date of enactment of this Act, the Secretary shall report to the appropriate committees of the House of Representatives and the Senate concerning the implementation of this subsection and the feasibility and desirability of utilizing the methodology and procedures described in this subsection in connection with the management of other lands within the National Forest System.

(d) KANIKSU FOREST/BOUNDARY COUNTY DEMONSTRATION PROJECT.—(1) The Secretary shall conduct a demonstration project on the Kaniksu Forest within Boundary County. The purpose of the project shall be to demonstrate the change in timber volume as a result of investing in good sites on lands both roaded and unroaded.

(2) SITES.—Within the 6 month period beginning on the date of enactment of this Act, the Forest Service shall

locate sites on the roaded area of the Kaniksu National Forest within Boundary County outside wilderness or other areas where timber harvest is not permitted and where timber productivity is greater than 50 cubic feet per acre per year. Roadless sites that are included under this provision shall be within the Farnum/Russell Special Management Area. These sites shall be intensively managed for timber production using systems consistent with sustaining ecosystem health and productivity. These systems will have strong elements associated with classic even-aged systems, while still maintaining structure that is more commonly associated with uneven-aged systems. Silvicultural practices shall include thinning, fertilization, pruning, planting of diverse tree species originating from genetically superior stocks. Provisions included in (f) (3), (4), (5), and (6) of this section shall apply.

SEC. 203. PAYETTE NATIONAL FOREST.

(a) GENERAL MANAGEMENT DIRECTIVE.—The management areas designated by this section shall be administered in accordance with applicable laws including this Act; the laws, rules, and regulations applicable to the National Forest System; and the document entitled the "Payette National Forest Plan", adopted _____, as such plan may be revised or amended from time to time.

(b) RAPID RIVER MANAGEMENT AREA.—

(1) DESIGNATION.—The area on the Payette National Forest, comprised of approximately 38,000 acres as generally depicted on the map entitled "Rapid River Management Area—Proposed", is designated as the Rapid River management area.

(2) MANAGEMENT EMPHASIS.—The management emphasis for the Rapid River management area shall be on water quality, anadromous fish habitat, and recreation. No roads may be constructed.

(c) JACKSON BAR AIRSTRIP.—The Jackson Bar Airstrip, commonly known as the Wilson Bar Airstrip, on the south side of the Salmon River on the Payette National Forest, section 28, R8E, T24N, within the Frank Church River of No Return Wilderness shall be left open for use by recreation aviators.

SEC. 204. BOISE NATIONAL FOREST.

(a) GENERAL MANAGEMENT DIRECTIVE.—The management areas and recreation area designated by this section shall be administered in accordance with applicable laws including this Act; the laws, rules, and regulations applicable to the National Forest System; and the document entitled the "Boise National Forest Plan", adopted August 1987, as such plan may be revised or amended from time to time.

(b) BREADWINNER MANAGEMENT AREA.—

(1) DESIGNATION.—The area on the Boise National Forest, comprised of approximately 41,000 acres as generally depicted on the map entitled "Breadwinner Management Area—Proposed", is designated as the Breadwinner management area.

(2) MANAGEMENT EMPHASIS.—The management emphasis for the Breadwinner management area shall be on wildlife habitat, with timber and range activities implemented so that wildlife habitat is maintained or improved and scenic quality in visually sensitive areas is protected. Management activities for other resources shall be consistent with wildlife and visual resources.

(c) SNOWBANK MANAGEMENT AREA.—

(1) DESIGNATION.—The area on the Boise National Forest, comprised of approximately 22,000 acres as generally depicted on the map entitled "Snowbank Management Area—Proposed", is designated as the Snowbank management area.

(2) MANAGEMENT EMPHASIS.—The management emphasis for the Snowbank management area shall be on recreation. Snowmobile use shall be permitted, but the Secretary may not establish permanent trails or roads or allow the use of other motor

vehicles, motorized equipment, or other form of mechanical transport other than for administrative purposes.

(d) LIME CREEK—SOLDIER MOUNTAINS RECREATION AREA.—

(1) DESIGNATION.—The area on the Boise National Forest, comprised of approximately 29,000 acres as generally depicted on the map entitled "Lime Creek—Soldier Mountains Recreation Area—Proposed", is designated as the Lime Creek—Soldier Mountains Recreation Area (hereafter in this subsection referred to as the "recreation area").

(2) ADMINISTRATION.—(A) The Secretary shall administer and manage the recreation area so as to preserve the area's predominantly roadless character, with no additional road construction permitted, and to enhance scenic and watershed values, wildlife habitat, and dispersed recreation.

(B) The Secretary may, in his discretion and in accordance with Executive Orders 11644 and 11989, permit limited use of the area by motorized vehicles and equipment on roads and trails existing on January 25, 1994, for administrative purposes (including trail maintenance), for activities associated with existing levels of livestock grazing, and for recreational

vehicle access where such access was established prior to January 25, 1994, but only where such uses are compatible with the protection and propagation of fish and wildlife within the recreation area.

SEC. 205. MANAGEMENT PLANS.

(a) CHANGE TO CONFORM TO THE PROVISIONS OF THIS ACT.—The Secretary shall modify the existing land and resource management plans for the national forests affected by this Act to incorporate the provisions of this Act in their entirety. This incorporation shall not be treated as a revision or amendment to the forest plan for the purposes of section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974.

(b) GENERAL APPLICABILITY OF EXISTING PLANS.—The management areas, historic area, and forest demonstration projects designated by this title shall be managed in accordance with applicable laws including this Act and the laws, rules, and regulations applicable to the National Forest System and, except as otherwise specifically provided in this Act, in accordance with the applicable land management plan for each such area in effect on January 25, 1994, and revisions or amendments to such plans that may be adopted from time to time that are not inconsistent with this Act or such laws, rules, and regulations.

(c) RULE OF CONSTRUCTION.—Except as provided in subsection (a), nothing in this Act shall be construed to affect or modify the process of revising or amending land and resource management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974.

SEC. 206. MAP AND DESCRIPTION.

As soon as practicable after enactment of this Act, the Secretary shall file a map and a legal description of each management areas, historic area, and forest demonstration projects designated under this title with the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives and with the Committee on Energy and Natural Resources of the Senate. Each such map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in such map and legal description may be made. Each such map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, United States Department of Agriculture.

SEC. 207. WATER QUALITY ON THE PANHANDLE NATIONAL FOREST.

(a) IN GENERAL.—The Secretary shall review the water quality standards in effect on the date of the enact-

ment of this Act on the Panhandle National Forest to determine if such standards are sufficient to protect fisheries, watersheds and water quality on that national forest. If the Secretary finds that such standards—

(1) are not sufficient, the Secretary shall develop water quality standards which are sufficient to protect fisheries, watersheds and water quality on the national forest and include such standards in the report required by subsection (b); or

(2) are sufficient but are not being met, the Secretary shall address why such standards are not being met in the report required by subsection (b).

(b) REPORT.—Within 18 months after the date of the enactment of this Act, the Secretary shall submit a report to the Congress which shall include the findings of the Secretary under subsection (a) and any other matter required to be included in the report by subsection (a). Each report shall contain a summary of the comments received pursuant to subsection (c).

(c) PUBLIC COMMENT.—The Secretary shall provide an opportunity for public comment on the report before submitting the report to Congress under subsection (b).

SEC. 208. MONITORING OF MANAGEMENT AREAS.

(a) IN GENERAL.—The Secretary shall review existing monitoring efforts by the State, Federal Government,

and Indian tribes for each of the management areas, historic area, and forest demonstration projects designated by this title to determine whether such efforts assure that adequate information is available to assure compliance with applicable standards in the land and resource management plan applicable to the management area. If under such efforts adequate information—

(1) is not available, the Secretary shall develop and implement a monitoring program to collect information that is needed; and

(2) is available, the Secretary shall, upon the availability of such information, use such information when implementing activities under the plan.

(b) REPORT.—Not later than four years after the date of the enactment of this Act and every four years thereafter, the Secretary shall submit a report to Congress that assesses the effectiveness of these designations made by this title to assure proper management of the designated areas, and the monitoring of those areas, including the types of information being collected by the Secretary pursuant to subsection (a). Each report shall contain a summary of the comments received pursuant to subsection (c).

(c) PUBLIC COMMENT.—In implementing this section and before submitting a report to Congress under sub-

section (b), the Secretary shall provide an opportunity for public comment, including comment by scientists, interested agencies, and user groups.

TITLE III—RELEASE TO MULTIPLE USE AND WATER RIGHTS

SEC. 301. WILDERNESS REVIEW.

(a) FINDINGS.—The Congress finds that—

(1) the Department of Agriculture has studied the suitability of roadless areas for inclusion in the National Wilderness Preservation System; and

(2) the Congress has made its own review and examination of National Forest System roadless areas in the State of Idaho and the environmental impacts associated with alternative allocations of such areas.

(b) JUDICIAL REVIEW.—On the basis of such review, the Congress hereby determines and directs that—

(1) without otherwise passing on the question of the legal and factual sufficiency of the wilderness suitability review of the land and resource management plans and their associated environmental impact statements for National Forest System lands in the State of Idaho completed prior to the enactment of this Act, determinations and recommendations as

to the suitability of roadless areas for inclusion in the National Wilderness Preservation System and the environmental analyses directly related to such determinations and recommendations (prior to the revision of such plans) shall not be subject to judicial review, except that—

(A) except for determinations and recommendations on suitability for inclusion in the National Wilderness Preservation System, nothing in this section shall preclude judicial review of land and resource management plans or decisions implementing such plans or any decisions made concerning the management of National Forest System lands other than the suitability determinations; and

(B) except for wilderness suitability determinations, nothing in this section shall preclude judicial review of Forest Service regional guides and other departmental policies of general applicability, nor prevent a court from invalidating forest planning decisions which fail to comply with applicable law; and

(2) the wilderness suitability review and evaluation of those National Forest System lands in the State of Idaho which were reviewed by the Depart-

ment of Agriculture in the Land and Resource Management Plans, and those lands referred to in subsection (g), shall be deemed an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System, and the Department of Agriculture shall not be required to review the wilderness option prior to the first revision of the Land and Resource Management Plans to occur after 10 years following enactment of this Act, but shall review the wilderness options thereafter when the plans are revised, which revisions will ordinarily occur on a 10-year cycle, or at least every 15 years.

(c) RELEASE.—Those National Forest System lands in the State of Idaho which were not designated as wilderness or management areas, historic area, or forest demonstration projects by this Act shall be managed for multiple use in accordance with land and resource management plans developed pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, and those areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of the land and resource management plans.

(d) PLAN REVISIONS.—In the event that revised land management plans in the State of Idaho are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation for a minimum of 10 years after the date of enactment of this Act, and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation.

(e) FURTHER REVIEW.—Unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of Idaho for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

(f) REVISIONS.—As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, the term "revision" shall not include an amendment to a land and resource management plan.

(g) ROADLESS AREAS LESS THAN 5,000 ACRES.—The provisions of this section shall also apply to those National Forest System roadless lands in the State of Idaho which are less than 5,000 acres in size.

SEC. 302. WATER RIGHTS.

Nothing in this Act, or any other Act, shall be construed as providing the basis for assertion of any claim for any United States water right for lands designated as wilderness or special management areas by this Act. Nothing in this Act shall be construed as authorizing the use of eminent domain to acquire water or water rights for such lands.

TITLE IV—IDAHO RURAL ECONOMIC DEVELOPMENT

SEC. 401. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds the following:

(1) Idaho's rural communities are faced with the need to diversify their economic base.

(2) The natural resources and the infrastructure of Idaho's national forests need to be rehabilitated to enhance the quality of Idaho's national forests.

(3) Solutions to these issues can be complementary if employment opportunities are created that accomplish the much needed natural resources work,

including the backlog of work which has accumulated over time in Idaho.

(b) PURPOSE.—The purposes of this title are to increase the ability of the Secretary of Agriculture to provide additional assistance under existing authority of such Secretary to rural communities located in or near national forests in the State of Idaho to aid in diversifying these communities' economic bases and to complete needed ecosystem restoration and rehabilitation projects to improve the quality of Idaho's national forest resources.

SEC. 402. ECOSYSTEM RESTORATION AND REHABILITATION PROJECTS.

(a) IN GENERAL.—The Secretary shall utilize the authority of the National Forest-Dependent Rural Communities Diversification Act of 1990 (7 U.S.C. 6611 et seq.) to effect the purposes of this title and shall promote ecosystem restoration and rehabilitation programs and projects through technical assistance, grants, and cooperative agreements with agencies of the State of Idaho, local governments, organizations, private corporations, and landowners.

(b) ECOSYSTEM RESTORATION.—Rehabilitation projects which may be carried out under subsection (a) include—

(1) rehabilitation of watersheds and riparian areas;

(2) closure of timber and other roads, obliteration of temporary roads, and revegetation and stabilization of road cuts and fills;

(3) reduction of nonpoint source pollution through revegetation;

(4) restoration and enhancement of fish and wildlife habitat;

(5) silvicultural treatment of forest stands to restore vigor, improve health, and reduce risk of wildfire;

(6) riparian-related pasture fencing on range allotments;

(7) rehabilitation of mines;

(8) inventory, treatment, and control of noxious weeds; and

(9) maintenance of existing trails currently in substandard condition.

(c) PRIORITIZING PROJECTS.—In establishing priority projects for the purposes of this section, the Secretary shall give priority to the following:

(1) Implementation of projects which will allow for future flexibility in commodity products from

limited watersheds and which would assist in chinook salmon recovery efforts.

(2) Repair of high-volume recreation roads which would greatly reduce sedimentation into critical anadromous fish waterways.

(d) PRIORITY PROJECTS.—In carrying out this section, the Secretary shall give priority to the following areas:

(1) PANHANDLE NATIONAL FOREST.—Priority drainages listed as unscheduled in the forest plan for the Idaho Panhandle National Forests (1987):

(A) COEUR D'ALENE RIVER DRAINAGE.—All creeks located within the Coeur D'Alene River drainage and the Coeur D'Alene River.

(B) CLARK FORK DRAINAGE.—

(i) Lightening Creek.

(ii) Grouse Creek.

(iii) Trestle Creek.

(C) ST. JOE DRAINAGE.—

(i) Gold Creek.

(ii) Bruin Creek.

(iii) Quartz Creek.

(D) ST. MARIES RIVER DRAINAGE.—

(i) Fish Hook Creek.

(ii) Norton Creek.

(iii) West Fork Mary.

(iv) Little East Fork Emerald.

(v) Catspur.

(2) CLEARWATER NATIONAL FOREST.—

(A) Lolo Creek.

(B) Eldorado Creek.

(C) Yoosa Creek.

(D) Crooked Fork.

(E) Pete King.

(F) Canyon Creek.

(G) Deadman Creek.

(H) China Creek.

(I) Osier Creek.

(J) Laundry Creek.

(K) Sheep Creek.

(L) Sneak Creek.

(M) South Fork Beaver Creek.

(N) Quartz Creek.

(3) NEZ PERCE NATIONAL FOREST.—Projects listed in Part I of the document entitled "Economic Sustainability and Diversification Options, 1993".

(4) PAYETTE NATIONAL FOREST.—

(A) Ruby Road.

(B) Grouse Creek Road.

(C) Lake Creek Road.

(D) California Lake.

(E) Projects listed in the document entitled "South Fork Salmon River Restoration Strategy", dated March 1989.

(5) BOISE NATIONAL FOREST.—

(A) MIDDLE FORK SALMON.—

(i) Elk Creek (trib to Bear Valley Creek).

(ii) Bear Valley Creek.

(B) SOUTH FORK SALMON.—

(i) Upper South Fork Salmon.

(ii) Johnson Creek.

(C) BOISE RIVER.—

(i) Mores Creek.

(ii) Grimes Creek.

(iii) Lower South Fork Boise.

(iv) Upper South Fork Boise.

(v) North Fork Boise.

(D) PAYETTE RIVER.—

(i) Middle Fork Payette.

(ii) Squaw Creek Basin.

(e) PRIORITY COMMUNITIES.—In implementing this section, the Secretary shall give priority consideration to—

(1) the areas of highest unemployment that are in or near national forests in the State of Idaho; and

(2) rural communities in the State of Idaho that have historically been dependent on national forest system lands.

(f) RURAL COMMUNITY.—For the purposes of this title, the term "rural community" has the same meaning given such term by section 2374(3) of the National Forest-Dependent Rural Communities Diversification Act of 1990 (7 U.S.C. 6612(3)).

SEC. 403. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this Act.

○

May 19, 1994

OPENING STATEMENT OF CONGRESSMAN CHARLIE ROSE

Good Afternoon. I thank everyone for attending today's hearing on H.R. 3732, the Idaho Wilderness, Sustainable Forests and Communities Act of 1994. Before we start off with testimony from the bill's sponsor Congressman Larry LaRocco, I wish to recognize Larry for the dedicated efforts he has made in seeking a resolution to a contentious issue, establishing wilderness areas in the State of Idaho, that requires the balancing many and oftentimes conflicting interests in the State of Idaho. I visited your district last year to conduct a field hearing in Boise and, through that experience, I learned that this bill is tremendous undertaking and that you have provided admirable leadership, fairness and understanding in developing this comprehensive bill.

I look forward to working with you to move this bill forward.

If there are no further comments, we will commence the hearing.

TESTIMONY OF HONORABLE TERRY EVERETT

JOINT HEARING
SPECIALTY CROPS AND NATURAL RESOURCES SUBCOMMITTEE
AGRICULTURE COMMITTEE

MAY 19, 1994

Thank you, Mr. Chairman.

I would like to take this opportunity to thank my Subcommittee Chairman, Mr. Rose, and the ranking Member, Mr. Lewis, for having these hearings today. I would also like to welcome Mr. LaRocco, who is a fellow property rights supporter, to this hearing today.

I understand from the testimony I have been provided with here today that the U.S. Forest Service objects to the provisions in Mr. LaRocco's bill, HR 3732, that addresses private property rights and water rights.

Let me just say that I respect Mr. Larocco's attempts to put some "common sense" into environmental regulations. I fully support the objective of the bill which allows private property owners or "inholders" to file a claim if the value of their land is reduced significantly. The federal government recognizes that under the idea of "public domain," property owners are compensated if their land is considered necessary for building a highway for transportation purposes or a dam to provide hydroelectric power, the owners are compensated under the fifth amendment of the Constitution. All I am asking, along with the other Members of Congress who support private property rights, is that the owners of this land be fairly compensated if the value of their land is reduced significantly under a wilderness designation.

Regarding the water rights issue, again let me state that I believe the federal government did not intend to assert a water right on wilderness lands. Mr. Larocco's bill acknowledges this point and I support him on it. Legislative history of the original Wilderness Act of 1964 indicates that the assertion of a federal water right should be left up to the states, and Mr. Larocco, who is from Idaho, understands more than most the significance of allowing states to assert water rights. I have joined with many others of this subcommittee in sending a letter to Secretary of the Interior Babbitt and Secretary of Agriculture Espy which states Congress' intent not to assert a claim on water for federal wilderness areas, and calling for them to suspend any administrative action which contradicts that intent.

That concludes my statement, and I thank the Chairman.

Ms. LONG. It sounds like we are just getting called to a vote.

Mr. LaRocco, if you would like to present your testimony, I think we can complete your testimony before the vote.

STATEMENT OF HON. LARRY LaROCCO, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF IDAHO

Mr. LAROCCO. Thank you. I reiterate my appreciation for scheduling this hearing today, Madam Chair.

As you know, on March 15, the Natural Resources Subcommittee on National Parks, Forests and Public Lands held the first Washington hearing on my legislation, H.R. 3732. Today, I appreciate your assistance in moving my bill further along the legislative process.

I also appreciate the chairman's interest and your interest and assistance with my forest health bill, H.R. 229. The hearing held by the chairman last August in Boise has been especially helpful in building momentum and scientific consensus for that legislation as well.

On January 25 of this year I introduced a revised version of my 1993 Wilderness bill to reflect what I saw as an emerging consensus. The new bill, H.R. 3732, is the bill which is before us today. H.R. 3732 calls for designation of wilderness areas on all five national forests within my congressional district. In addition, several special management areas are proposed.

I have also included demonstration projects for the St. Joe and Kaniksu National Forest with the goal of investing in good sites to grow more timber volume on lands already roaded. In an effort to provide certainty on forest lands which are already roaded the bill called for restoration of forests and watersheds and authorized jobs to carry out these activities.

I look forward to hearing the administration's testimony today.

And, again, Madam Chair, thank you for your interest and for this opportunity.

I might add that in my bill with the water rights language, I have worked on this language with the Governor of Idaho, Cecil Andrus, and also have been in consultation with the attorney general's office. My colleague from the Second District has looked at this language as well because of his knowledge on water rights.

With that I would ask unanimous consent that my entire statement be included in the record for this hearing.

[The prepared statement of Mr. LaRocco appears at the conclusion of the hearing.]

Ms. LONG. Without objection.

Mr. ROSE. Congressman, thank you for being here.

We appreciate your efforts and we hope that we can help you get this legislation moved in a manner that is suitable to you.

Mr. LAROCCO. Thank you, Mr. Chairman. I appreciate your interest in Idaho and in this legislation and my other efforts that have come before your committee.

Mr. ROSE. Thank you, sir.

Does anybody have any questions that they would like to ask the congressman?

If not, thank you very much.

Mr. LAROCCO. Thank you, Mr. Chairman.

Mr. ROSE. At this time, we will call Mark Reimers, the Deputy Chief of the Forest Service for any comments he may have.

STATEMENT OF MARK A. REIMERS, DEPUTY CHIEF, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. REIMERS. Good afternoon, Mr. Chairman and members of the subcommittees. I would like to submit my entire statement for the record and I will highlight that.

I appreciate the opportunity to present the views of the Department of Agriculture concerning H.R. 3732. Mr. Chairman, we commend Mr. LaRocco for his efforts to complete a wilderness bill for the national forests in his congressional district, which includes all or parts of the Boise, Clearwater, Nez Perce, Payette, and Idaho Panhandle National Forests.

Although it is our preference to see a bill addressing the entire state of Idaho, we understand the desire to try to move ahead at this time. The debate over wilderness designation in Idaho has gone on for many years. The difficulty in resolving the issue has resulted in considerable uncertainty and we concur with the desire to resolve the wilderness question in Idaho.

However, the Department of Agriculture does not support enactment of H.R. 3732 unless amended to address the concerns that we will note.

We do have a display map here if you should want to get into more detail. The existing wilderness is indicated in yellow, the proposed wilderness in green, the blue represents special management areas. And if you were close, you could see the inventory of roadless areas that we so often discuss.

H.R. 3732 would designate 19 additions to the National Wilderness Preservation System totaling 1.3 million acres, and 14 special management areas, totaling 283,000 acres within the affected national forest.

Mr. ROSE. Could I ask you in the interest of time, if you could submit your statement for the record and then in about 3 or 4 minutes just give us a summary.

We are going to ask the full committee to discharge this subcommittee, I believe that is our intent.

Mr. REIMERS. I will do that.

Mr. ROSE. While your excellent statement is going to be in the record, if you would give us the high point in a few minutes of what the problem areas are.

Mr. REIMERS. As we indicated, we support the wilderness designations. They do exceed what was in the forest plans but represent a reasonable compromise. We have concerns regarding the special provision in section 107 regarding private property rights. We think existing law will take care of the need under the Tucker Act.

We have concerns with the water language because it specifically limits our ability to seek water rights should it be necessary. We support the wilderness release language as written.

We have concerns with the special management areas and would have preferred, and continue to prefer that those areas be managed under the provisions of forest plans and the National Forest Management Act. We believe that ecosystem management will allow us

to manage those areas and still meet the special needs provided in this bill.

In summary, we feel this bill provides a framework for resolving the wilderness issue in the five national forests. We would like to work with the committees of jurisdiction and the delegation to enact a wilderness bill for the State of Idaho acceptable both to the administration and Congress.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Reimers appears at the conclusion of the hearing.]

Mr. ROSE. Thank you very much.

I want to thank all the members for being here today, our colleague especially for being here.

And without objection, if there is no other testimony to be given, the hearing stands adjourned.

Thank you all very much.

Mr. GOODLATTE. We also have to take up the Mount Pleasant bill.

Mr. ROSE. I will vote and we will come back and work on that.

Mr. GOODLATTE. I can do it in 30 seconds.

I will submit my testimony for the record and thank you for reporting this bill to the full committee.

This legislation does have the cosponsorship of every member of this subcommittee and it is still vitally supported by the board of supervisors locally as well as the environmental and the timber companies involved in the area.

[The prepared statement of Mr. Goodlatte follows:]

STATEMENT OF HON. BOB GOODLATTE

Mr. Chairman, I'd like to thank you for reporting my bill, H.R. 2942, the Mount Pleasant National Scenic Area Act, to the full committee for consideration. I was very pleased with the outcome of the Subcommittee on Specialty Crops and Natural Resources hearing which was held on April 12th of this year. I am also glad to be able to say that this legislation has the cosponsorship of every member of the Subcommittee on Specialty Crops and Natural Resources.

As you may know, the residents of western Virginia have been calling for improved protection for this area in Amherst County Virginia that includes federal woodlands and local watersheds. This local effort aims to protect these natural resources without removing the flexibility needed to properly maintain the area.

This measure is critically important to many constituents of the sixth congressional district and has the continued support of the Amherst County Board of Supervisors, as well as local environmental groups and private timber companies that acquire pulp and fiber from National Forest lands.

I would like to bring to your attention my intention to offer an en bloc amendment to this legislation when the bill comes before the committee. Like the bill itself, the en bloc amendment has support from all of the involved parties at the local and national level, and maintains the original integrity and intent of this effort.

I want to thank you again for allowing this important legislation to move forward and look forward to working with members of the full committee and the House to get this bill passed into law.

Mr. ROSE. Does the gentleman move the passage of—hold on a minute. You move that the subcommittee be discharged from further consideration of your legislation?

Mr. GOODLATTE. I do, Mr. Chairman.

Mr. ROSE. Is there any objection?

Without objection, it is so ordered.

Mr. GOODLATTE. Thank you, Mr. Chairman.

Mr. ROSE. The subcommittees stand adjourned.

Thank you.

I would like to reconvene the subcommittees.

Mr. LaRocco, let me reconvene the subcommittees for 30 seconds.

I move that the H.R. 3732 the Idaho Wilderness Sustainable Forests and Communities Act of 1994, sponsored by Mr. LaRocco, that the subcommittee be discharged of further consideration of that bill as well as the Mount Pleasant bill that Mr. Goodlatte just presented.

Is there objection?

Hearing none, it is so ordered.

Mr. LAROCCO. Thank you, Mr. Chairman.

[Whereupon, at 2:33 p.m., the subcommittees adjourned, to reconvene subject to the call of the Chair.]

[Material submitted for inclusion in the record follows:]

Statement of

Congressman Larry LaRocco

H.R. 3732
The Idaho Wilderness,
Sustainable Forests and Communities Act of 1994

May 19, 1994

Mr. Chairman, thank you for scheduling this hearing. As you know, on March 15, the Natural Resources Subcommittee on National Parks, Forests and Public Lands held the first Washington hearing on H.R. 3732. And today, I appreciate your assistance in moving my bill further along the legislative process.

Although there will continue to be opportunities to improve H.R. 3732 through the Committee and legislative process, much work has been done to bring us this far. Mr. Chairman, I would like to tell you a little about what it takes to introduce a wilderness bill in Idaho.

In December of 1992, I began a series of eight town meetings across the First District which were attended by more than 2,000 Idaho citizens. I devoted some 27 hours to listening to 326 speakers express their views at the microphone concerning management of Idaho's roadless lands.

Let me summarize the repeated themes I heard during those meetings: First, Idahoans stated the timing was right. Second, they called for certainty and asked that the bill be more than just a wilderness bill. Third, they expressed a desire to focus on specific areas. Fourth, they indicated a need to protect current jobs and create new jobs. Fifth, I heard that wilderness values are changing. Beyond recreation, many Idahoans expressed concerns about wildlife habitat, water quality and healthy forest ecosystems.

During the several months following the town meetings, I assigned two professional staff members, experienced in natural resource issues, to follow up on the town meetings by interviewing groups and individuals who expressed deep concern about the outcome of an Idaho wilderness bill.

More than 120 contacts were made including representatives from: academia, the timber industry, loggers, labor unions, scientists, biologists, tree planters, elected officials, outfitters and guides, jet boaters, Federal and State agency personnel, ORV users, hunters, anglers, miners, ranchers, farmers, educators, environmentalists, snowmobilers and Native Americans.

I also sought out the latest and best science available and worked with respected technical experts. They applied GAP analysis using a computerized system to compare layers of resource information.

I reviewed other wilderness proposals including the McClure-Andrus wilderness effort of 1988. Past efforts to resolve this issue became building blocks in the process.

Then, on March 31, 1993 I introduced H.R. 1570, the "Idaho Wilderness, Sustainable Forests and Communities Act of 1993." Because much of the content of H.R. 1570 is in my current bill, I would like to review some of the high points.

H.R. 1570 called for designation of wilderness areas on all five national forests within my Congressional district. In addition, a number of special management areas were proposed. Prescriptions for these SMA's were to reflect congressional intent for management emphasis, (not unlike that for the Smith River National Recreation Area in California), and set reasonable, verifiable constraints on activities which could occur in the areas.

In developing the prescriptions, care was taken to not "micro-manage" the area, recognizing that most land management decisions are best left to scientists and professional land managers. Additionally, future advances in the science of land management should not be precluded by tying the hands of tomorrow's land managers.

I also included a demonstration project for the St. Joe National Forest with the goal of investing in good sites to grow more timber volume on lands already roaded. Following location of these highly productive sites, they would be intensively managed for timber using mostly uneven-aged management and silvicultural practices including pre-commercial thinning, fertilization, pruning, and planting of diverse species. A citizens advisory group would help monitor the program's effectiveness, and the program would terminate after 10 years.

In an effort to provide certainty on forest lands which are already roaded, the bill called for restoration of forests and watersheds and authorized jobs to carry out those activities.

Mr. Chairman, as you know, the condition of many roaded areas require that future management and production options be severely restricted until restoration efforts are in place. Further the listing of the chinook salmon under the Endangered Species Act provides a further catalyst for restoring these lands.

Because of this extensive backlog of restoration work on Idaho's forests, my legislation would provide not just an economic stimulus package, but a long-term economic stability initiative. And the jobs created would not be just temporary jobs, but real jobs to support families. The skilled workers needed to implement restoration activities include sawyers, heavy equipment operators, woods workers, carpenters, engineers, and farm equipment operations, as well as forest management professionals.

In response to the concern expressed at my town meetings, I directed the Secretary to review the water quality standards for the Panhandle National Forest. The review would determine if the standards are sufficient to protect fisheries, watersheds, and water quality and if the standards are being properly implemented.

Mr. Chairman, following introduction of H.R. 1570, I held two field hearings in Lewiston and Boise. Subsequently, my staff and I have had innumerable discussions with State and local officials, interest group representatives, and concerned Idahoans. This time, the discussions were about a concrete legislative proposal which I had laid on the table. I heard ideas from literally thousands of Idahoans from all backgrounds who, if nothing else, shared a common interest in resolving the issue of Idaho's roadless areas.

As a result, on January 25th of this year, I introduced a revised bill, H.R. 3732, to reflect what I saw as an emerging consensus. That is the bill which is before us today.

Mr. Chairman, H.R. 3732 reflects my agreement with Governor Andrus on Meadow Creek and on protection of Idaho's water. My revised bill takes a step beyond the conventional "no buffer zone" language and provides a process whereby citizens can have concerns about private property rights addressed. And, H.R. 3732 makes revisions in each of the five national forests in the First District. I would like to quickly outline some of the primary changes.

On Water Rights:

Upon introduction of my original bill, I promised I would address the issue of water rights during the legislative process. With the advice and agreement of Governor Andrus, the language I have included would prohibit the assertion of any claim, based on this Act or any other Act, for any U.S. water right for areas designated as wilderness or special management area in my bill. It would also prohibit the use of eminent domain for acquiring either water or water rights within areas designated in my bill.

Several ongoing efforts continue to hold promise to address this contentious issue including compromise language recently enacted for wilderness in Colorado as well as the Snake River adjudication process.

The bill attempts to exclude any water facilities, such as impoundments, ditches and pipelines, from the wilderness boundaries proposed in my bill. If, through oversight any such facility is included, I will work to make sure that continued access to these facilities is permitted.

On Private Property Rights:

The bill expands the original language to protect private property rights beyond any previous wilderness legislation enacted into law. This bill would establish a process whereby an owner of property adjacent to wilderness established under this bill could file a claim for compensation for any reduction in property value. Of course, it is often true that private property adjacent to wilderness increases in value.

In addition, this bill retains language from my original bill to prohibit the creation of buffer zones around a wilderness to the detriment of any adjacent private property.

On the Idaho Panhandle National Forests:

My bill strengthens the timber management language for the Special Management Areas in Boundary County in recognition of the recent cutbacks in federal timber sales and the recovery actions for species listed or proposed to be listed under the Endangered Species Act. It also provides for an economic analysis to assess the impacts of recovery actions for endangered species.

My bill still provides for intensive forest management demonstration projects to gather information on increasing wood fiber production through advanced silvicultural practices on areas within Boundary County and portions of the St. Joe National Forest.

On the Clearwater National Forest:

My bill removes some 20,000 acres within the timber base from the proposed Great Burn and Lewis and Clark Wilderness. Specifically, it withdraws Fish Lake and the Fish Lake trail from the Great Burn area.

The bill proposes an additional 7,000 acres to be added to the Selway Bitterroot Wilderness. These are lands located in White Sand and Beaver Creeks on the Powell Ranger District.

The bill removes some 123,000 acres of Special Management Areas in East Weitas Creek and the Vanderbilt Hill area.

The bill includes language to assure that, upon enactment, the boundaries established will take precedence over the boundaries set in the September 1993 Clearwater Agreement. To forestall any delay in revising the Clearwater Forest Plan, I have directed the Forest Service to report to Congress if the Plan is not revised by December 31, 1996.

On the Nez Perce National Forest:

With the agreement of Governor Andrus, the bill removes the west side of Meadow Creek from the Meadow Creek additions to the Selway Bitterroot Wilderness, a reduction of some 58,000 acres.

Management decisions on West Meadow Creek would be based on the watershed protection projects provided in the legislation.

On the Payette National Forest:

The bill removes the addition to the Frank Church River Of No Return Wilderness.

It extends the Patrick Butte Wilderness proposal to the north to the Payette National Forest boundary adding 6,000 acres.

The French Creek Wilderness proposal was extended north to include the French Creek break lands adding some 5,000 acres. The French Creek Special Management Area included in H.R. 1570 has been removed.

The four-wheel drive trail along the South Fork of the Salmon River bisecting the Secesh proposed wilderness was removed from wilderness as well as the adjacent private property.

On the Boise National Forest:

The Johnson Creek Special Management Area was removed.

And, in addition to snowmobiles, the Snowbank Special Management Area will now allow the use of off-road vehicles for administrative purposes.

On Release Language:

Mr. Chairman, there has been much confusion about what release language accomplishes. I have tried to included release language in my legislation which is standard in most wilderness bill, but I want to be clear about what this language does and does not do.

- It states that both the Forest Service and Congress have studied the roadless areas in Idaho for their suitability as wilderness.

- It states that the national forest lands in Idaho which were not designated as wilderness or as special management areas are released for multiple use under the direction of the forest plans or other statutory requirements.

- It states that for 10 years, or until the forest plans are revised, whichever period is longer, the released lands do not have to be protected to maintain their suitability for future designation as wilderness. But, because wilderness is considered a multiple use under the Multiple Use Sustained Yield Act, the Forest Service still has the option to manage them as wilderness.

- It clarifies that during the plan revision process, which could last for several years, the released lands will remain released.

- It states that, once the revised plans are implemented, areas which are not recommended for wilderness designation during the revision do not have to be managed to maintain their wilderness suitability, but area which are recommended for wilderness during the revision process shall be managed to protect their suitability for wilderness designation.

- It insulates from judicial review the wilderness determination decisions made during the forest plan revision, but allows judicial review on other plan decisions.

- It relieves the Forest Service from the obligation to conduct a statewide review of roadless lands to determine if they are suitable for wilderness.

This is what my release language does NOT do:

- It does not limit judicial review on any action but wilderness determinations made during forest plan revisions, and so allows actions under the National Forest Management Act, National Environmental Policy Act, Endangered Species Act, and other environmental laws to be reviewed in court.

- It does not limit or prohibit appeals. Much to the credit of Idaho's Senior Senator Larry Craig, a new appeals process was enacted last Congress which limits frivolous appeals and sets a deadline for individuals to file an appeal and a limit on the Forest Service's response time.

Mr. Chairman, I want to say I deeply appreciate the participation of many concerned Idahoans. Without their help I would never have been able to draft a wilderness bill responsive to the needs of Idaho. And, I appreciate their continued interest. Again, thank you Mr. Chairman for this opportunity.

STATEMENT OF
MARK A. REIMERS, DEPUTY CHIEF
UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

Before the
Subcommittee on Specialty Crops and Natural Resources
and the
Subcommittee on Environment, Credit, and Rural Development
Committee on Agriculture
United States House of Representatives

Concerning H.R. 3732

May 19, 1994

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

I appreciate the opportunity to present the views of the Department of Agriculture concerning H.R. 3732, a bill "to designate certain lands in the State of Idaho as wilderness and for other purposes."

Mr. Chairman, we commend Mr. LaRocco for his efforts to complete a wilderness bill for National Forests in his Congressional District, which includes all or parts of the Boise, Clearwater, Nez Perce, Payette, and Idaho Panhandle National Forests. Although it is our preference to see a bill addressing the entire State of Idaho, we understand the desire to try and move ahead at this time. The debate over wilderness designation in Idaho has gone on for many years. The difficulty in resolving the issue has resulted in considerable uncertainty and we concur with the desire to resolve the wilderness question in Idaho.

However, the Department of Agriculture does not support enactment of H.R. 3732, unless amended to address concerns noted below.

H.R. 3732 would designate 19 additions to the National Wilderness Preservation System totaling approximately 1.3 million acres and 14 special management areas totaling 283,000 acres within the affected National Forests. The bill would release the remaining National Forest roadless areas in Idaho to management under Forest Plans. The bill also addresses the issue of water rights, management of designated management areas, and would provide for restoration and rehabilitation projects on certain National Forests in Idaho.

The bill also includes standard wilderness administrative provisions concerning State jurisdiction for management of fish and wildlife, buffer zones around wilderness, and livestock grazing.

Even though H.R. 3732 would designate more wilderness than was recommended in Forest Plans, we support the wilderness designations because the areas involved still provide an acceptable balance between wilderness and non-wilderness uses in the National Forests affected by the bill. Support for the wilderness designations is contingent upon protection for all wilderness resources, including water.

Briefly, I will address several concerns we have regarding the bill.

Private Property Rights

We have serious reservations about the language of Section 107 concerning private property rights. This section of the bill would permit adjacent property owners to file claims against the government if they believe the value of their land has been reduced because the Federal land has been designated as wilderness. We believe such language is ill-advised. The language could encourage numerous invalid claims, unnecessarily adding to the cost and complexity of wilderness management. The language presents no guidelines as to how such claims would be considered nor how the validity or amount of the claim would be determined. The potential remedy surpasses that already provided under existing law. We suggest that existing procedures for placing claims against the government under the Tucker Act are adequate to respond to landowners' concerns about possible loss of property value.

Water Language

A key to resolving the Idaho wilderness issue is whether the wilderness water resource is adequately protected. Our position has been that protecting wilderness values generally requires full natural flows, less any valid rights which exist at the time of designation. The bill in effect prevents the

Forest Service from obtaining water rights to protect the wilderness resource while allowing others to assert claims to divert or impound water that would otherwise flow through wilderness.

Without either a) allowing the Forest Service to obtain water rights that are necessary to protect wilderness values or, b) preventing others from diverting water in these areas, we do not believe the water-related wilderness values could be adequately protected. We do not believe wilderness should be designated unless all wilderness values and characteristics can be adequately protected. Without this protection, possible diversions, impoundments, or other developments may make it impossible to protect the wilderness character of these areas.

Release Language

We do not object to the release language. The language ties release of areas to the analysis and recommendations in the Forest Plans. We support that general approach.

Special Management Areas

We have concerns about the large acreage and divergent management schemes for the many special management areas in the bill. We recognize the prerogative of Congress to legislate management direction for Federal lands. The National Wilderness Preservation System, Wild and Scenic Rivers system,

and National Recreation Areas created by Congress in response to public demands are significant examples of this prerogative in action.

However, in many cases, the bill would only fix into law existing management direction as described in forest plans. The desire to have the special management designations may be addressing the concern that management direction contained in forest plans can be modified in the future. Although we understand this concern, we believe that flexibility and the ability to respond to changing public needs and demands provided for by the forest planning process is important. A basic tenet of the National Forest Management Act is to endorse the concept of professional resource management, with provisions for a high level of public involvement in developing and revising plans.

We believe that the forest planning process can be responsive to both the public's interest in protecting special areas and the need for flexibility to respond to changed conditions. As you are well aware, a major fire season, insect infestation, or climatic event such as drought or blowdown can dramatically change assumptions and conditions that were the basis for earlier decisions.

The knowledge, information, and technology available to managers are also dynamic. Research findings often change basic assumptions about what is the "best" way to manage. The

BOSTON PUBLIC LIBRARY
3 9999 05018 528 7

debates in the Pacific Northwest have been greatly influenced by changing data, research findings, and technology required to use the information.

We believe the ecosystem management approaches that we are striving to implement will go far in addressing the concerns that special management areas are intended to resolve. We recommend that the special management areas in this bill be deferred and that we work with the subcommittee to assist in oversight concerning the effectiveness of ecosystems management approaches.

In summary, we feel this bill provides a framework for resolving the wilderness issue on the five National Forests. We would like to work with the Committees with jurisdiction and the delegation to enact a wilderness bill for the State of Idaho acceptable to both the Administration and the Congress.

Mr.Chairman, this concludes my prepared statement and I would be pleased to answer the Subcommittee's questions concerning the bills.

81-894 (72)

ISBN 0-16-044808-5